



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

NOV 8 2016

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6126 5674

Mr. Dean Murray
Environmental Health and Safety Engineer
Gemini, Inc.
1719 Moeller Drive
Decorah, Iowa 52101

RE: Gemini, Inc.
Decorah, Iowa
RCRA ID No.: IAD984566604

Dear Mr. Murray:

On July 17 and 18, 2015, a representative of the U. S. Environmental Protection Agency inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act. On August 1, 2016, EPA sent a Letter of Warning/Request for Information, citing eleven violations. My staff has reviewed your September 12, 2016 response. Based on the information from the September response, as well as your July 2015 responses to the inspection report, an additional violation is being cited as noted on the attached List of Violations. By this letter, the agency is requesting additional information related to the additional violation (#12 on the enclosed list). Please use the same directions for responding. For your convenience, these are enclosed.

RCRA



556913



Printed on Recycled Paper

Within 30 calendar days of receiving this letter, please mail your response to: Rebecca Wenner, U. S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas, 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Rebecca Wenner, of my staff, at (913) 551-7644.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Goetz", with a long horizontal flourish extending to the right.

Mary Goetz

Chief

Waste Enforcement and Materials Management Branch
Air and Waste Management Division

Enclosures (3)

cc: Amie Davidson, Supervisor, Contaminated Sites Section
Iowa Department of Natural Resources

List of Violations
GEMINI, INC
Decorah, Iowa
RCRA ID No.: IAD984566604

1. 40 CFR 262.34(c)(1)(i) referencing 40 CFR 265.173(a) – Failure to close a hazardous waste satellite accumulation container except when adding or removing waste. This violation has been adequately addressed.
2. 40 CFR 262.34(c)(1)(ii) – Failure to mark or label a hazardous waste satellite accumulation container with the words “hazardous waste” or other words identifying the contents of the container. This violation has been adequately addressed.
3. 40 CFR 262.34(a)(3) – Failure to mark or label a hazardous waste accumulation container with the words “hazardous waste. This violation has been adequately addressed.
4. 40 CFR 262.34(a)(2) – Failure to mark or label a hazardous waste accumulation container with the accumulation start date. This violation has been adequately addressed.
5. 40 CFR 273.14(e) – Failure to mark or label a container of universal waste lamps with the words “Universal Waste-Lamps”, “Waste Lamps”, or “Used Lamps”. This violation has been adequately addressed.
6. 40 CFR 273.15(c) – Failure to have a method in place to demonstrate the length of time of accumulation for universal waste lamps. This violation has been adequately addressed.
7. 40 CFR 273.13(d)(1) – Failure to close a universal waste lamps container except when adding or removing waste. This violation has been adequately addressed.
8. 40 CFR 273.14(a) – Failure to mark or label containers of universal waste batteries with the words “Universal Waste-Batteries”, “Waste Batteries”, or “Used Batteries”. This violation has been adequately addressed.
9. 40 CFR 273.15(c) – Failure to have a method in place to demonstrate the length of time of accumulation for universal waste batteries. This violation has been adequately addressed.
10. 40 CFR 262.11 – Failure to determine if a waste is hazardous waste. This violation has been adequately addressed.
11. 40 CFR 262.34(a)(1)(i) referencing 40 CFR 265.174 – Failure to inspect all hazardous waste storage areas at least weekly to look for leaking or deteriorating containers. This violation has been adequately addressed.
12. 40 CFR 262.34(d)(5)(iii) – Failure to ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal

facility operations and emergencies.

The September 12, 2016 response included a copy of the training provided to employees for hazardous waste management. In this training, there is a distinction between Satellite Accumulation of wastes and "process" collection drums. The training indicates that the used solvent collected in "process" containers is not a waste because it will be processed/reclaimed back into a useable product. A photo and illustration also states that the process containers should be marked "Process Containers, Chemical: Barsol; Hazardous: Flammable: Seal Container when not in use." It does not say to mark the container as waste Barsol or Waste Solvent or hazardous waste. Spent solvent that will be recycled is a solid waste, and in this case a hazardous waste, prior to reclamation.

Requested Information
GEMINI, INC
Decorah, Iowa
RCRA ID No.: IAD984566604

1. Please identify all persons responding to the questions in this letter. Please include names, titles, and telephone numbers, if different from the facility's telephone number.
2. Provide all of the following for the spent Barsol solvent that is recycled on-site:
 - a. An updated waste determination that includes applicable waste codes;
 - b. A description of how each container will be marked/labeled in the future;
 - c. An estimate of the amount of this waste generated each month, note that you only have to count the waste solvent the first time it is recycled each month (and any new solvent added to it throughout the month has to be counted the first time it is recycled each month).
3. Provide a description of how and when employees will be retrained on the correct management of the spent Barsol solvent that is recycled on-site.

3007 RESPONSE INSTRUCTIONS

- * Identify the Person(s) responding to this request on your behalf.
- * Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- * For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- * For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- * For each numbered item, identify all persons consulted in the preparation of the answer.
- * For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- * If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- * If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- * If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- * You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- * The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- * A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- * Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.epa.gov/epahome/cfr40.htm.
- * This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- * The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties per violation, per day of continued noncompliance. Providing false, fictitious or fraudulent statements or representation could lead to criminal penalties.